

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

Vol. 2, No. 39

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Pages 1189-1210

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State of Kansas

SOCIAL AND REHABILITATION SERVICES**REQUEST FOR PROPOSALS FOR
RESIDENTIAL TRANSITIONAL PROGRAM**

SRS-Youth Services is currently soliciting proposals for a community based residential transitional program for 17+ year old youths leaving the Youth Centers. The program is to be located in the Kansas City, Olathe, or Topeka SRS Management Area.

The purpose is to establish a program to assist youths in making a successful re-entry into community living through training in social and work skills and assisting them in obtaining employment.

SRS has available \$140,000 in Community Based Services start-up funds for one project of nine (9) months duration to begin on or about December 1, 1983.

Applications will be accepted until 5:00 p.m. Thursday, October 20, 1983. A pre-bid conference will be held in the Conference Room of the Smith/Wilson Building on the campus of Topeka State Hospital at 10:00 a.m., Thursday, October 6, 1983.

Request for Proposal (RFP) packages for application are available upon request from:

James Wann, Manager
Kansas City Area Office
II Gateway Center
Kansas City, KS 66101

OR

Mike Van Landingham
Olathe Area Office
One Patrons Plaza
Olathe, KS 66061

OR

Faith Spencer
Topeka Area Office
2700 West Sixth
Topeka, KS 66606

ROBERT C. BARNUM

Commissioner, Youth Services

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT****PUBLIC NOTICE**

A Certificate of Need application from Northview Developmental Services for the development of a 15-bed Intermediate Care Facility for the Mentally Retarded has been reviewed and approved by the Kansas Department of Health and Environment. This Certificate of Need shall become effective on October 19, 1983 unless appealed to the District Court of Marion County and shall be valid for one year.

A Certificate of Need application from St. Joseph Medical Center for the replacement of a Computed Tomography (CT) Scanner has been reviewed and approved by the Kansas Department of Health and Environment. This Certificate of Need shall become effective on October 19, 1983 unless appealed to the District Court of Sedgwick County and shall be valid for one year.

A Certificate of Need application from Southwest Medical Center for the renovation and expansion of the facility and the purchase of major medical equipment has been reviewed and approved with modification by the Kansas Department of Health and Environment. This Certificate of Need shall become effective on October 9, 1983 unless appealed to the District Court of Seward County and shall be valid for one year.

BARBARA J. SABOL
Secretary

Doc. No. 001512

Doc. No. 001504

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PUBLISHED BY
JACK H. BRIER
Secretary of State
State Capitol
Topeka, Kansas 66612



PHONE: 913/296-2236

State of Kansas

DEPARTMENT OF ADMINISTRATION**NOTICE OF COMMENCEMENT OF
NEGOTIATIONS FOR TECHNICAL ASSISTANCE
ENERGY CONSERVATION STUDIES**

Notice is hereby given to all interested parties that the Kansas Board of Regents intends to interview competent firms for the purpose of negotiating for technical assistance energy conservation studies. The studies will include forty-six buildings located on the following campuses: Pittsburg State University, the University of Kansas Medical Center, Fort Hays State University and the University of Kansas.

Those firms desiring consideration to be interviewed for these studies should contact Mr. Warren Corman, Kansas Board of Regents, Suite 1416, Merchants National Bank Tower, Topeka, Kansas 66612; telephone (913) 296-3421 no later than October 14, 1983.

JOHN B. HIPPI
Director

Division of Architectural Services

Doc. No. 001511

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT****NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Wednesday, October 19, 1983, beginning at 9:00 a.m., in the conference room of Building 321 of the Kansas Department of Health and Environment offices at Forbes Field in Topeka, Kansas. The purpose of the hearing will be to consider the adoption of a proposed permanent amendment to the rules and regulations of the Department of Health and Environment.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Secretary of Health and Environment, Forbes Field, Topeka, Kansas 66620. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed amendment to the regulations.

Following the hearing on October 19, 1983, all written and oral comments submitted by interested parties will be considered by the Secretary of Health and Environment as the basis for making changes to this proposed amendment.

A summary of the regulation to be amended, and the proposed amendment follow. Copies of the regulation and the fiscal impact statement may be obtained by writing: Department of Health and Environment, Bureau of Disease Prevention and Control, Forbes Field, Topeka, Kansas 66620.

The following is a brief summary of the proposed amendment to this administrative regulation:

K.A.R. 28-1-4 currently requires that administrators of licensed hospitals in Kansas report all cases of cancer diagnosed in their hospital, and all congenital malformations in infants less than one year of age diagnosed in their hospital, to the Department of Health and Environment. This proposed amendment would add four disease syndromes to be reported by hospital administrators. These four syndromes are TSS (toxic shock syndrome), Guillian-Barre syndrome, Reyes syndrome, and AIDS (acquired immune deficiency syndrome).

National data is collected and analyzed on these four syndromes, and hospitals and physicians currently report these cases on an irregular basis. The proposed amendment to this administrative regulation would legitimize this reporting, and thus strengthen the program for acquisition of this data.

28-1-4. Registration of disease prevalence. (a) The following diseases shall be reported by the administrator of all hospitals licensed in the state. The administrator of each hospital licensed in the state shall report the following diseases to the secretary of health and environment for registration on forms provided by the department of health and environment:

- (1) Cancer;
- (2) Congenital malformations in infants under one (1) year of age;
- (3) Reyes syndrome;
- (4) Toxic shock syndrome;
- (5) Guillian Barre syndrome; and
- (6) Acquired immune deficiency syndrome.

(b) All reports pursuant to this regulation shall be confidential medical information. (Authorized by K.S.A. 1981 Supp. 65-101; implementing K.S.A. 65-102; effective May 1, 1982; amended T- - , effective May 1, 1984.

K.A.R. 28-1-4 currently requires reporting to the Kansas Department of Health and Environment by hospital administrators of all cases of cancer, and of congenital malformations in infants under one year of age.

This proposed amendment would require reporting of four additional conditions of public health significance. They are Reyes syndrome, toxic shock syndrome, Guillian-Barre syndrome, and AIDS (acquired immune deficiency syndrome).

The financial impact of reporting these diseases would accrue upon the reporting hospitals. The incidence of these diseases is quite low; it is estimated that no more than ten cases of each of these entities per year, statewide, occur. Forms for reporting are provided by the U.S. Public Health Service. It is estimated that completing each report requires approximately one-half hour of the time of a staff member of the medical records department of the reporting hospital. There is no direct financial impact upon the general public of this proposed amendment.

BARBARA J. SABOL
Secretary

Doc. No. 001500

State of Kansas

LEGISLATURE

INTERIM AGENDA

Notice is hereby given to all interested parties that the following legislative committee meetings have been scheduled during the period of October 3 through October 14, 1983.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Oct. 3 Oct. 4			Joint Committee on Administrative Rules and Regulations	CANCELLED.
Oct. 5 Oct. 6	519-S 519-S	10:00 A.M. 9:00 A.M.	Special Committee on Energy and Natural Resources	Committee discussions and deliberations on Proposals 20, 21, 22, 23 and 24.
Oct. 6 Oct. 7	531-N 531-N	10:00 A.M. Upon adj. of L.C.C.	Legislative Budget Committee	Proposal 52—Committee Discussion and instructions to staff. Proposal 35—Staff reports.
Oct. 6 Oct. 7	526-S 526-S	10:00 A.M. 9:00 A.M.	Special Committee on Transportation	Agenda unavailable.
Oct. 7	527-S	9:30 A.M.	Legislative Coordinating Council	Legislative business.
Oct. 10 Oct. 11	519-S 519-S	10:00 A.M. 9:00 A.M.	Special Committee on Assessment and Taxation	1st Day: Discussion and possible final action on Proposals 1 and 2. 2nd Day: Hearings on Proposal 3.
Oct. 10 Oct. 11	Downtown Ramada Inn Topeka		Legislative Educational Planning Committee	Fifth Annual Governing Boards Conference.
Oct. 11	254-E	1:30 P.M.	Kansas Task Force on Applied Remote Sensing	Review of Final Report.
Oct. 13 Oct. 14	519-S 519-S	10:00 A.M. 9:00 A.M.	Special Committee on Education	Committee deliberations on Proposals 14, 15, 16, 17 and 18.
Oct. 13 Oct. 14	123-S 123-S	10:00 A.M. 9:00 A.M.	Communication, Computers, and Technology (House Committee)	Proposal 8.
Oct. 13 Oct. 14	254-E 254-E	10:00 A.M. 9:00 A.M.	Subcommittee 4 of the Special Committee on Infrastructure (Public Safety),	Agenda unavailable.
Oct. 14	531-N	10:30 A.M.	Health Planning Review Commission	Agenda not yet available.
Oct. 14	527-S	9:00 A.M.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 001513

State of Kansas

LEGISLATIVE DIVISION OF POST AUDIT**INVITATIONS FOR BIDS**

Sealed bids on two Legislative Division of Post Audit Invitations for Bids on financial-compliance and Attachment P Single Audits will be received until 3:00 p.m., Friday, October 21, 1983. These invitations cover audits of the Department of Social and Rehabilitation Service's Division of Mental Health and Retardation Services, the Board of Agriculture, the Animal Health Department, and the Grain Inspection Department.

Copies of the Invitations for Bids may be obtained from the Legislative Division of Post Audit, 109 W. 9th Street, Suite 301, Topeka, Kansas 66612.

MEREDITH WILLIAMS
Acting Legislative Post Auditor

Doc. No. 001499

State of Kansas

ATTORNEY GENERAL**OPINION NO. 83-142**

Crimes and Punishments—Crimes Against Property—Giving a Worthless Check. Rodney H. Symmonds, Lyon County Attorney, Emporia, September 15, 1983.

Partial payment of an insufficient funds check is not a bar to prosecution for the giving of a worthless check under K.S.A. 21-3707. The crime has been committed when the worthless check has been made, drawn, issued or delivered, and subsequent payment only goes to the question of "intent to defraud." Cited herein: K.S.A. 21-3707. TGM

OPINION NO. 83-143

Cities and Municipalities—Public Recreation and Playgrounds—Certification of Budget; Annual Resolutions. Granville M. Bush, Attorney for the Lyons Recreation Commission and U.S.D. No. 405, Lyons, September 15, 1983.

A recreation commission established pursuant to K.S.A. 12-1901 *et seq.*, must certify its budget annually to any school district which is to levy a tax for the supervised recreation system. Any additional mill levy, as authorized in K.S.A. 12-1908, as amended by L. 1983, ch. 68, necessary for operation of the recreation system must be approved by annual resolution of the school district. Cited herein: K.S.A. 12-1215, 12-1901, 12-1902, 12-1906, 12-1908, as amended by L. 1983, ch. 68, § 1. BJS

ROBERT T. STEPHAN
Attorney General

Doc. No. 001506

(Published in the KANSAS REGISTER, September 29, 1983.)

State of Kansas

DEPARTMENT OF TRANSPORTATION**NOTICE TO CONTRACTORS**

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m. C.D.T., October 20, 1983 and then publicly opened:

DISTRICT II

Dickinson—70-21 M 1319-01—8.931 miles Cold Milling, beginning approx. 1.0 mile west of the Interchange of I-70 & K-15; thence east on I-70 (State Funds).

Geary—70-31 M 1322-01—2.480 miles Cold Milling, beginning approx. M.P. 313.67 to 2.47 miles west of the Riley-Geary County line; thence east 2.8 miles to 0.01 mile east of the Geary-Riley County line M.P. 316.15 west end of Deep Creek Bridge (West Bound Lane Only) (State Funds).

Saline—135-85 M 1320-01—9.407 miles Cold Milling, beginning at the Saline-McPherson County line; thence north on I-135 (State Funds).

Saline—70-85 M 1321-01—5.100 miles Cold Milling, Plant Mix (Comm. Gr.), beginning 10 miles east of Saline-Lincoln County line; thence east on I-70 (State Funds).

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, religion, color, sex, physical handicap, national origin or ancestry in the award of contracts.

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

BY ORDER OF THE KANSAS
DEPARTMENT OF TRANSPORTATION

JOHN B. KEMP
Secretary

Doc. No. 001509

(Published in the KANSAS REGISTER, September 29, 1983.)

State of Kansas**DEPARTMENT OF TRANSPORTATION****NOTICE TO CONTRACTORS**

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m., C.D.T., October 20, 1983 and then publicly opened:

DISTRICT I

Douglas—23 C 0330-01—0.276 mile Grading & Bituminous Surfacing, beginning approx. 0.057 mile south of the jct. of Clinton Parkway & county highway FAS-1966; thence north on county highway FAS-1966 (Federal Funds).

Johnson and Wyandotte—106 K 2397-01—Highway Lighting at various locations in Johnson and Wyandotte Counties (Federal Funds).

Lyon and Shawnee—106 K 2395-01—Highway Lighting at various locations in Lyon and Shawnee Counties (Federal Funds).

Wyandotte—105 C 1260-01—1.958 miles Grading & 2 Bridges, beginning approx. at the intersection of county highway FAS-381 & K-7; thence easterly on county highway FAS-381 (Federal Funds).

Wyandotte—5-105 K 1020-01—0.359 mile Grading, Bituminous Surfacing & Bridge, beginning approx. at the Wyandotte and Leavenworth County line; thence easterly on K-5 (Bridge over Island Creek) (Federal Funds).

Wyandotte—7-105 K 0976-02—Bridge Superstructure on K-7 over Kansas River at Bonner Springs (State Funds).

DISTRICT II

District II—106 K 2400-01—Highway Lighting at various locations in Dickinson, Ellsworth, Geary, McPherson & Saline Counties (Federal Funds).

Saline—85 U 0827-01—Signing at various locations in the City of Salina (Federal Funds).

DISTRICT III

Wallace—27-100 X 0368-02—0.145 mile Grading & Plant Mix (Comm. Gr.), beginning approx. 0.07 mile south of the intersection of K-27 (Main Street) & South Front Street; thence north on K-27 (Federal Funds).

DISTRICT V

Butler—196-8 K 1853-01—0.160 mile Grading, Bituminous Surfacing & Bridge; Bridge Widening on K-196 over the Kansas Turnpike located approx. 1.19 miles west of El Dorado (Federal Funds).

Cowley—160-18 K 0210-01—0.502 mile Grading, Bituminous Surfacing & 2 Bridges, beginning approx. 8.0 miles east of Winfield; thence east on US-160 (Bridge over Silver Creek) (Federal Funds).

Harper—39 C 1519-01—0.132 mile Grading & Bridge, beginning approx. at the north city limits at Bluff City; thence north (Bridge over Bluff Creek) (Federal Funds).

Reno—96-78 K 0688-01—0.029 mile Grading, Bituminous Surfacing & Bridge, beginning approx. 0.04 mile north of the intersection of K-96 (Adams Street) & "A" Avenue; thence north on K-96 (Federal Funds).

Reno—96-78 M 1317-01—1.956 miles Concrete Pavement Patching, beginning approx. at the jct. of K-96 & US-50; thence north on K-96 in the City of South Hutchinson (State Funds).

Reno—50-78 M 1318-01—13.603 miles Concrete Pavement Patching, beginning approx. at the interchange of US-50 & K-96; thence easterly on US-50 (State Funds).

Sedgwick—87 C 1721-01—3.137 miles Bituminous Surfacing, beginning approx. 3.7 miles south of Colwich; thence east on county highway FAS-607 (Federal Funds).

Sedgwick—87 C 1722-01—3.030 miles Bituminous Surfacing, beginning approx. 3.5 miles east & 4.7 miles south of Kechi; thence east on county highway FAS-83 (Federal Funds).

Sedgwick—54-87 M 1316-01—4.581 miles Concrete Pavement Patching, beginning approx. 4.581 miles west of the west city limits of Wichita; thence east on US-54 (Eastbound Lane Only) (State Funds).

DISTRICT VI

Finney—50-28 K 0302-01—6.326 miles Grading, beginning approx. 6.0 miles east of the Finney-Kearny County line; thence east on US-50 (New Alignment) (Federal Funds).

Finney—50-28 K 0303-01—3.974 miles Grading & Bridge, beginning approx. at the jct. of US-83 & US-156; thence north & west on US-50 (New Alignment) (Federal Funds).

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, religion, color, sex, physical handicap, national origin or ancestry in the award of contracts.

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

BY ORDER OF THE KANSAS
DEPARTMENT OF TRANSPORTATION

JOHN B. KEMP
Secretary

Doc. No. 001494

State of Kansas

PUBLIC DISCLOSURE COMMISSION**NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Wednesday, October 19, 1983, commencing at 10:30 a.m., in the Kansas Public Disclosure Commission's Conference Room, 109 West 9th, Room 504, Topeka, Kansas to consider the adoption of proposed permanent rules and regulations of the Kansas Public Disclosure Commission.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Kansas Public Disclosure Commission, Room 504, 109 West 9th, Topeka, Kansas 66612. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to not more than five (5) minutes.

Following the hearing on October 19, 1983, all written and oral comments submitted by interested parties will be considered by the Kansas Public Disclosure Commission as the basis for making changes to these proposed regulations.

Copies of the regulations and the fiscal impact statement may be obtained by writing: Kansas Public Disclosure Commission, Room 504, 109 West Ninth, Topeka, Kansas 66612.

The following is a brief summary of the Commission's proposals concerning the amendments of current regulations:

K.A.R. 19-40-3a is a section of Article 40 of the Kansas Administrative Regulations relating to the State Conflict of Interests Provisions. **K.A.R. 19-40-3a** is a proposed new regulation defining hospitality.

K.A.R. 19-41-1, 19-41-2 and 19-41-3 are sections of Article 41 of the Kansas Administrative Regulations relating to Statements of Substantial Interest. Revision of these sections concerns the deleting of statutory language and moving definitions to a definition section.

K.A.R. 19-50-2, 19-50-3, 19-51-1 and 19-51-2 are sections of Articles 50 and 51 of the Kansas Administrative Regulations relating to Local Conflict of Interest Provisions. These sections are being revoked.

K.A.R. 19-63-1, 19-63-2 and 19-63-3 are sections of Article 63 of the Kansas Administrative Regulations relating to lobbying. Revision of these sections is being made to delete statutory language, to clarify existing language, and to comply with 1983 legislative changes. **K.A.R. 19-63-2(b)** will require expenditures to be allocated to the reporting period in which the debt is incurred.

CAROL E. WILLIAMS
Commission's Administrative Assistant

Doc. No. 001503

State of Kansas

**STATE BOARD OF INDIGENTS'
DEFENSE SERVICES****NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Friday, October 14, 1983, from 9:00 a.m. to 12:00 Noon in the old Supreme Court Room, third floor, Statehouse, Topeka, Kansas, to consider the adoption of proposed permanent rules and regulations of the State Board of Indigents' Defense Services. All interested parties may submit written comments at any time prior to the hearing by addressing them to the Director, State Board of Indigents' Defense Services, 535 Kansas, Suite 1202, Topeka, Kansas 66603. All interested parties will be given a reasonable opportunity at the hearings to present their views orally in regard to the adoption of the proposed regulations. All persons desiring to present their views orally should contact the Director no later than October 13, 1983. In order to give all parties an opportunity to present their views it may be necessary to request each participant to limit oral presentation to not more than five minutes. Written commentary is suggested.

Following the hearing on October 14, 1983, all written and oral comments submitted by interested parties will be considered by the State Board of Indigents' Defense Services as the basis for making changes to these proposed regulations. Summaries of the regulations follow. Copies of the regulations and the fiscal impact statement may be obtained by writing the State Board of Indigents' Defense Services, 535 Kansas, Suite 1202, Topeka, Kansas 66603, Ronald E. Miles, Director.

The following is a brief summary of the proposed regulations:

K.A.R. 105-1-1 through 105-9-5 relate to the procedures and compensation amounts to be paid to appointed counsel, court reporters, investigators and other expert witnesses. These regulations replace the standards of compensation as adopted originally by the Board of Supervisors of Panels to Aid Indigent Defendants and Supreme Court Rules 401 through 404.

K.A.R. 105-21-1 through 105-21-6 are new regulations providing for the qualifications and guidelines of public defenders.

K.A.R. 105-31-1 through 105-31-6 are regulations governing the qualifications and guidelines of contract counsel.

RONALD E. MILES
Director

Doc. No. 001501

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES****NOTICE TO BIDDERS**

Sealed bids for items hereinafter listed will be received by the Director of Purchases, State Office Building, Topeka, Kansas, until 2:00 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened:

TUESDAY, OCTOBER 11, 1983

#A-3652(a)

Winfield State Hospital, Winfield—CONSTRUCT NEW PARKING LOT

#A-4004(d)

Kansas Museum of History, Topeka—REMOVAL OF ASBESTOS MATERIALS

#25764

Statewide—COPIER SUPPLIES

#55380

Kansas State University, Manhattan—CHEESE

#55381

Kansas State University, Manhattan—FROZEN FOOD

#55386

Kansas State University, Manhattan—STYROBLOCK

#55387

Kansas State University, Manhattan—ROOT-TRAINERS

#55388

Emporia State University, Emporia—CONTINUOUS MAILERS—"STUDENT LOAN STATEMENT"

#55398

University of Kansas Medical Center, Kansas City—DRUG (VANCOMYCIN)

#55429

University of Kansas Medical Center, Kansas City—SPECTROPHOTOMETER

#55437

Advisory Council For Vocational Education, Topeka—WORD PROCESSING SYSTEM

WEDNESDAY, OCTOBER 12, 1983

#A-4738

Kansas Neurological Institute, Topeka—STORM SEWER IMPROVEMENTS

#55391

Fort Hays State University, Hays—JANITORIAL SUPPLIES

#55392

University of Kansas Medical Center, Kansas City—MEAT PRODUCTS

#55400

Department of Administration (Division of Accounts and Reports), Topeka—CONTINUOUS MAILERS—FORM 1099-G

#55401

Kansas Department of Transportation, various locations—COLD ASPHALTIC CONCRETE MIX "F.O.B. VENDORS PLANT" AND DELIVERED

#55405

University of Kansas, Lawrence—WET DRY VACUUMS

#55406

Department of Administration (Division of Printing), Topeka—#10 WHITE WOVE WINDOW ENVELOPES—PRINTED

#55407

Kansas Technical Institute, Salina—LATHE

#55412

Kansas Correctional Industries, Hutchinson—SHIRTING FABRIC

#55413

Department of Administration (Central Motor Pool), Topeka—MINI VAN

THURSDAY, OCTOBER 13, 1983

#25744

University of Kansas Medical Center, Kansas City and Statewide—GLOVES, PACKS AND TRAYS (CLASS 06)

#55414

Department of Social and Rehabilitation Services, Topeka—8-PLY COTTON WETMOP YARN—KANSAS INDUSTRIES FOR THE BLIND, JAMESTOWN

#55415

Kansas State University, Manhattan—PUMPS

#55416

Wichita State University, Wichita—FURNISH ALL LABOR AND MATERIAL IN THE INSPECTION, REPAIR AND TESTING OF AN ABSORPTION CHILLER

#55420

Kansas Fish and Game Commission, Pratt—TWO-WAY RADIO EQUIPMENT

#55421

Kansas Park and Resources Authority, various locations—PICKUPS

#55422

Kansas State University, Manhattan—HEATING AND AIR CONDITIONING UNITS

#55423

University of Kansas Medical Center, Kansas City—CATHETERS

#55426

University of Kansas Medical Center, Kansas City—SURGICAL INSTRUMENTS

#55428

Department of Administration (Division of Accounts and Reports), Topeka—CONTINUOUS FORMS—W-2 STATEMENTS FOR 1983

#55430

University of Kansas Medical Center, Kansas City—LABELED COMPOUND

FRIDAY, OCTOBER 14, 1983

#A-4691

Youth Center at Atchison, Atchison—ENERGY CONSERVATION PROJECTS

#55431

Kansas State University, Manhattan—MICROMANIPULATORS

MONDAY, OCTOBER 17, 1983

#25761

University of Kansas Medical Center, Kansas City—MOVING SERVICES (UNIVERSITY OF KANSAS SCHOOL OF MEDICINE—WICHITA)

#55408

Kansas Correctional Industries, Lansing—ALUMINUM SHEETS

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 001508

(Published in the KANSAS REGISTER, September 29, 1983.)

**NOTICE OF REDEMPTION
JOHNSON COUNTY, KANSAS
SINGLE FAMILY MORTGAGE
REVENUE BONDS
1980 SERIES A**

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated May 1, 1980, \$1,280,000 principal amount of the Bonds are called for redemption November 1, 1983, at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the bearer bonds to be redeemed are as follows:

Due May 1, 1984: 263, 298, 303
Due May 1, 1985: 412, 416, 467
Due May 1, 1986: 528, 550, 596, 601
Due May 1, 1987: 640, 658, 724, 753
Due May 1, 1989: 954, 975, 986, 987, 1002, 1094
Due May 1, 1990: 1189, 1202, 1213, 1222, 1285, 1299
Due May 1, 1991: 1376, 1392, 1422, 1487, 1519, 1523, 1552
Due May 1, 1992: 1726, 1794, 1803, 1817, 1825, 1867, 1878, 1881
Due May 1, 1993: 1942, 1945, 1997, 2011, 2059, 2101, 2107, 2126, 2155
Due May 1, 1996: 2975, 3052, 3059, 3100, 3148, 3167, 3219, 3306

Due May 1, 1999

3390	3408	3457	3463
3509	3556	3591	3616
3667	3756	3757	3797
3831	3917	3963	3998
4001	4058	4115	4150
4204	4208	4252	4257
4329	4342	4356	4363
4391	4412	4419	4488
4508	4544	4547	4581
4642	4651	4695	4720
4725	4749	4943	4970
5004			

Due May 1, 2011

5051	5102	5132	5153
5417	5632	5647	5771
5799	5985	5987	6068
6261	6277	6286	6484
6518	6545	6636	6671
6876	6878	7081	7095
7097	7273	7373	7445
7494	7524	7547	7780
7786	7924	8435	8458
8535	8741	8824	8832
8843	8933	8946	9133
9173	9236	9279	9289
9300	9308	9386	9565
9572	9661	9843	9872
10189	10269	10564	10571

10703	10816	10954	10994
11111	11138	11168	11262
11518	11676	11685	11696
11956	11959	11988	12204
12214	12371	12398	12501
12549	12643	12997	13058
13102	13472	13582	13623
13867	13875	13931	13961
13989	14014	14253	14425
14461	14520	14530	14690
14736	14938	14971	15038
15114	15123	15306	15397
15430	15448	15624	15849
16002	16294	16355	16375
16417	16596	16610	16628
16684	16735	16893	17037
17329	17422	17445	17532
17549	17686	17713	18023
18231	18345	18383	18413
18581	18601	18695	18777
18824	19007	19022	19086
19315	19356	19367	19760
19872	20050	20124	

The serial number of the Registered Bond to be redeemed in the amount of \$10,000 is:

Due May 1, 2011: R-89

Payment of the redemption price of the bearer Bonds to be redeemed will be made at Security National Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66117, or at the option of the holder, at Citibank, N. A., New York, New York.

Payment of the redemption amount of the registered bond to be redeemed will be made at Security National Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66117.

Notice is hereby given that on or after November 1, 1983, interest on the Bonds hereby called for redemption shall cease to accrue.

**SECURITY NATIONAL BANK OF
KANSAS CITY, KANSAS TRUSTEE**

By: BRIAN C. JORDAN
Assistant Trust Officer

Doc. No. 001496

(Published in the KANSAS REGISTER, September 29, 1983.)

**NOTICE OF REDEMPTION
KANSAS CITY, KANSAS
SINGLE FAMILY MORTGAGE
REVENUE BONDS
1980 SERIES A**

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated May 1, 1980, \$1,510,000 principal amount of the Bonds are called for redemption November 1, 1983, at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the bearer bonds to be redeemed are as follows:

Due May 1, 1984: 126,159
Due May 1, 1985: 180, 190, 203
Due May 1, 1986: 226, 262, 270
Due May 1, 1987: 346, 353, 358
Due May 1, 1988: 372, 405, 410, 435
Due May 1, 1989: 466, 485, 489, 503
Due May 1, 1990: 529, 538, 574, 579
Due May 1, 1991: 637, 677, 694, 706, 710
Due May 1, 1992: 749, 754, 788, 813, 817
Due May 1, 1993: 836, 851, 863, 890, 891, 936
Due May 1, 1994: 969, 975, 988, 994, 1008, 1060
Due May 1, 1995: 1101, 1105, 1164, 1198, 1202, 1204, 1215
Due May 1, 1996: 1242, 1292, 1315, 1348, 1350, 1359, 1364

Due May 1, 1999

1394	1395	1422	1463
1516	1520	1539	1554
1565	1581	1584	1603
1608	1621	1634	1645
1670	1703	1706	1815
1826	1888	1892	1902
1916	1952	1972	1983

Due May 1, 2012

2000	2025	2056	2093
2095	2100	2149	2158
2180	2189	2196	2202
2257	2275	2389	2394
2400	2424	2432	2474
2480	2481	2486	2488
2494	2505	2628	2677
2695	2732	2744	2748
2759	2805	2848	2918
2920	2923	2936	2976
3041	3160	3161	3228
3244	3257	3289	3299
3320	3350	3387	3443
3459	3474	3509	3552
3560	3573	3690	3743
3748	3801	3825	3839
3841	3881	3887	3902
3931	3989	4011	4019
4057	4104	4156	4165

4213	4232	4233	4243
4264	4290	4326	4347
4426	4482	4511	4518
4614	4672	4674	4681
4710	4766	4842	4848
4853	4860	4874	4899
4931	4954	4992	4993
5008	5049	5056	5064
5105	5109	5154	5161
5163	5170	5177	5203
5210	5212	5244	5253
5284	5332	5337	5372
5391	5405	5417	5440
5447	5454	5470	5477
5488	5549	5550	5558
5563	5580	5584	5637
5671	5748	5755	5794
5803	5815	5821	5899
5908	5911	5967	5980
5995	6016	6034	6107
6176	6183	6275	6281
6302	6332	6394	6411
6415	6423	6428	6430
6456	6500	6504	6520
6537	6580	6585	6635
6685	6725	6726	6737
6752	6791	6805	6809
6821	6887	6897	6981
6996	7006	7022	7028
7040	7083	7086	7111
7183	7185	7186	7191
7213	7263	7267	7272
7275	7276	7323	7335
7360	7397	7490	7511
7522	7543	7544	

No Registered Bonds are called for redemption at this time.

Payment of the redemption price of the bearer Bonds to be redeemed will be made at Security National Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66117.

Notice is hereby given that on or after November 1, 1983, interest on the Bonds hereby called for redemption shall cease to accrue.

**SECURITY NATIONAL BANK OF
KANSAS CITY, KANSAS TRUSTEE**

By: BRIAN C. JORDAN
Assistant Trust Officer

Doc. No. 001497

(Published in the KANSAS REGISTER, September 29, 1983.)

NOTICE OF BOND SALE
\$350,000.00
GENERAL OBLIGATION BONDS
OF THE
CITY OF SUBLETTE, KANSAS

The CITY OF SUBLETTE, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, 103 SOUTH CODY, SUBLETTE, KANSAS, until 7:30 o'clock P.M., C.D.T., on
MONDAY, OCTOBER 3, 1983

for \$350,000.00 par value GENERAL OBLIGATION BONDS of the City, Series A, 1983 in the principal amount of \$140,280.00, and Series B, 1983 in the principal amount of \$209,720.00, at which time and place such bids will be publicly opened. No oral or auction bids will be considered. Bids may be received on one or both series of Bonds, but bids must be on the entire amount of a series.

The Series A and B Bonds will be dated as of November 1, 1983, and shall mature on December 1 in each of the years and in the amounts set forth below. Such Bonds shall consist of fully registered certificated Bonds, each in the denomination of \$5,000.00 or integral multiples thereof, except one Bond of Series A, 1983 in the denomination of \$5,280.00 and one Bond of Series B, 1983 in denomination of \$4,720.00, not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing December 1, 1984, and each June 1 and December 1 thereafter. The principal of, and premium, if any, on the Bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas (the Paying Agent and Bond Registrar) to the registered owners thereof upon presentation of the Bonds for payment and cancellation. Interest on the Bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the preceding November 15 and May 15 (the Record Dates). The fees of the Bond Registrar for registration and transfer of the Bonds shall be paid by the City. The Series A, 1983 Bonds will mature serially in accordance with the following schedule:

PRINCIPAL AMOUNT	MATURITY DATE
\$25,280.00	December 1, 1984
25,000.00	December 1, 1985
30,000.00	December 1, 1986
30,000.00	December 1, 1987
30,000.00	December 1, 1988

The Series B, 1983 Bonds will mature serially in accordance with the following schedule:

PRINCIPAL AMOUNT	MATURITY DATE
\$14,720.00	December 1, 1984
15,000.00	December 1, 1985
15,000.00	December 1, 1986
20,000.00	December 1, 1987

20,000.00	December 1, 1988
20,000.00	December 1, 1989
25,000.00	December 1, 1990
25,000.00	December 1, 1991
25,000.00	December 1, 1992
30,000.00	December 1, 1993

REDEMPTION

The Series A, 1983 Bonds will mature without option of redemption. The Series B, 1983 Bonds maturing December 1, 1992, and thereafter, are subject to call for redemption and payment prior to their respective maturities at the option of the City on and/or after December 1, 1991, in whole at any time or in part in inverse numerical order, and by lot within maturities, on any interest payment date, at the redemption price set forth below, plus accrued interest to the redemption date:

Redemption Period (Dates Inclusive)	Redemption Price
12-1-91 — 11-31-92	102%
12-1-92 — 11-31-93	101%

Notice of any call for redemption will be mailed to the registered owners of such Bonds to be redeemed at the address shown on the registration books maintained by the Bond Registrar not less than 30 days prior to the date fixed for such redemption and payment. Interest on the Bonds so called for redemption and payment will cease to accrue after the redemption date, provided notice has been given and funds are then available to pay the full redemption price thereof.

INTEREST RATE

Proposals will be received on the Series A, 1983 Bonds bearing such rate or rates of interest, not exceeding two (2) different interest rates, as may be specified by the bidder. Proposals will be received on the Series B, 1983 Bonds bearing such rate or rates of interest, not exceeding four (4) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any Series A, 1983 bid shall not exceed one and one-half percent (1½%). The difference between the highest and lowest coupon rates specified in any Series B, 1983 bid shall not exceed two and one-half percent (2½%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being the "20 Bond Index" of tax exempt municipal bonds published by the *Weekly Bond Buyer* in New York, New York on the Monday next preceding the day on which the Bonds are sold (September 26, 1983), plus 2%, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of Bonds will not be considered.

BID FORM AND GOOD FAITH DEPOSIT

Bids shall be submitted on the OFFICIAL BID

(continued)

FORM furnished by the City, and shall be addressed to the City at CITY HALL, 103 SOUTH CODY, SUBLETTE, KANSAS 67877, ATTENTION: MARIE L. MOORE, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF SUBLETTE, KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

AWARD OF BIDS

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice; and each series of Bonds will be sold to the best bidder. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City for each series of Bonds; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

DELIVERY OF THE BONDS

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City; and the Bonds will be sold subject to the unqualified approving opinion of GAAR & BELL, Bond Counsel, of Wichita, Kansas. THE NUMBER, DENOMINATION OF BONDS, AND NAMES OF THE INITIAL REGISTERED OWNERS TO BE INITIALLY PRINTED ON THE BONDS SHALL BE SUBMITTED IN WRITING BY THE SUCCESSFUL BIDDER TO THE BOND REGISTRAR NOT LATER THAN NOVEMBER 7, 1983. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Payment for the Bonds shall be made in immediately available funds. Delivery of the Bonds will be made to the successful bidder on or before NOVEMBER 17, 1983, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

LEGAL OPINION

Bids shall be conditioned upon the unqualified approving opinion of GAAR & BELL, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each Bond and a manually signed original will be furnished without ex-

pense to the purchaser of the Bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the Bonds and legal opinion will be paid by the City. Said legal opinion will state in part substantially that the Bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City; and that, under existing law, the interest on said Bonds is exempt from present Federal income taxation and the Bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

PURPOSE OF ISSUE

The Series A, 1983 and Series B, 1983 Bonds are being issued for the purpose of constructing various street improvements in the City of Sublette, Kansas.

CUSIP IDENTIFICATION NUMBERS

CUSIP identification numbers will be printed on said Bonds. All expenses in relation to printing of CUSIP numbers on said Bonds and the expenses of CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the City.

ASSESSED VALUATION

Assessed valuation figures for the City of Sublette, Kansas, for the year 1982, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property	\$3,407,582.00
Tangible Valuation of Motor Vehicles	\$ 409,163.06
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ —0—

Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations .	\$3,816,745.06
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BONDED INDEBTEDNESS

The total bonded indebtedness of the City of Sublette, Kansas, at the date hereof, including this \$350,000.00 proposed issue of Bonds, is in the amount of \$945,000.00. In addition thereto, the City has outstanding Temporary Improvement Notes in the amount of \$486,519.02, \$321,519.02 of which will be retired from the proceeds of the Bonds and special assessments which have been collected in cash.

OFFICIAL STATEMENT

Additional copies of this Notice of Bond Sale, or copies of the City's Official Statement relating to the Bonds, or further information may be received from the office of the City Clerk, City of Sublette, Kansas. DATED SEPTEMBER 22, 1983.

CITY OF SUBLETTE, KANSAS
By MARIE L. MOORE, City Clerk

Doc. No. 001498

(Published in the KANSAS REGISTER, September 29, 1983.)

**NOTICE OF BOND SALE
CITY OF OLATHE, KANSAS
\$1,280,000.00 GENERAL OBLIGATION BONDS
SERIES 173
(INTERNAL IMPROVEMENT)**

The City of Olathe, Kansas will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, 100 WEST SANTA FE, OLATHE, KANSAS, until 11:00 o'clock A.M., C.D.S.T. on

TUESDAY, OCTOBER 4, 1983

for the purchase of One Million Two Hundred Eighty Thousand Dollars (\$1,280,000.00) par value General Obligation Bonds (the "Bonds") of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series 173 Bonds initially issued will be dated as of October 1, 1983, and shall mature on October 1 in each of the years and in the amounts set forth below. Such Bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000.00 or integral multiples thereof not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing April 1, 1984, and each October 1 and April 1 thereafter. The principal of, and premium, if any, on the Bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas, (the Paying Agent and Bond Registrar) to the registered owners thereof upon presentation of the Bonds for payment and cancellation. Interest on the Bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the preceding March 15 and September 15 (the Record Dates). The fees of the Bond Registrar for registration and transfer of the Bonds shall be paid by the City.

The Bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date
\$110,000	1984
130,000	1985
130,000	1986
130,000	1987
130,000	1988
130,000	1989
130,000	1990
130,000	1991
130,000	1992
130,000	1993

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding five (5) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest rates specified in any bid shall not exceed two percent

(2%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being two percent (2%) above the "Bond Buyer's 20 Bond Index," published in the *Weekly Bond Buyer* on Monday, October 3, 1983, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at CITY OF OLATHE, KANSAS, CITY HALL, P.O. BOX 768, OLATHE, KANSAS 66061, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the total amount of the bid, and shall be payable to City Clerk, City of Olathe, Kansas. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City; and the Bonds will be sold subject to the unqualified approving opinion of NICHOLS AND WOLFE CHAR-TERED, Bond Counsel of Topeka, Kansas, whose opinion will be paid for by the City.

The number, denomination of bonds and names of the initial registered owners shall be submitted in writing by the successful bidder to the Bond Registrar not later than October 18, 1983.

The purchaser will be furnished with a complete Transcript of Proceedings evidencing authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Payment for the Bonds shall be made in immediately available funds. Delivery of the Bonds will be made to the successful bidder on or before October 28, 1983, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

The Bonds will constitute General Obligations of the City, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable, tangible property within the territorial limits of the City. The Series 173 Bonds are being issued for the purpose of financing the cost of various internal improvements in the City.

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City; and the net interest

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cost will be determined by deducting any amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

Assessed valuation figures of the City of Olathe, Kansas, for the year 1983, are as follows:

Equalized assessed valuation of taxable, tangible property	\$109,937,692
Assessed tangible valuation of motor vehicles	19,592,922
Equalized tangible valuation for computation of bonded indebtedness limitations	\$129,530,614

CUSIP identification numbers will be printed on the Bonds. All expenses incurred in connection with the printing of CUSIP numbers on the Bonds and the expenses of the CUSIP Service Bureau for the assignment of said numbers shall be paid for by the City.

The total general obligation bonded indebtedness of the City of Olathe, Kansas, at the date hereof, including this proposed issue of Bonds in the amount of \$1,280,000, is in the amount of \$23,242,000. The City of Olathe, Kansas has Temporary Notes outstanding in the total amount of \$2,230,000 which will be redeemed and paid from the proceeds of this proposed issue of Bonds and from other funds available to the City.

Additional copies of this Notice of Bond Sale, or copies of the City's Official Statement relating to the Bonds, or further information may be received from the Clerk of the City and from Zahner and Company, Kansas City, Missouri, the City's financial advisor.

DATED September 20, 1983.

CITY OF OLATHE, KANSAS
By HOWARD W. PEVEHOUSE, City Clerk

Doc. No. 001502

(Published in the KANSAS REGISTER, September 29, 1983.)

NOTICE OF BOND SALE
\$95,000.00
GENERAL OBLIGATION BONDS
OF THE
CITY OF LARNED, KANSAS

The CITY OF LARNED, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, LARNED, KANSAS, until 8:00 o'clock P.M., C.D.T., on

MONDAY, OCTOBER 17, 1983

for \$95,000.00 par value GENERAL OBLIGATION BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series C, 1983 Bonds will be dated as of November 1, 1983, and shall mature on September 1 in each of the years and in the amounts set forth below. Such Bonds shall consist of fully registered certificated Bonds, each in the denomination of \$5,000.00 or integral multiples thereof not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing September 1, 1984, and each March 1 and September 1 thereafter. The principal of, and premium, if any, on the Bonds shall be payable in lawful money of the United States

of America, at the principal office of the Treasurer of the State of Kansas, (the Paying Agent and Bond Registrar) to the registered owners thereof upon presentation of the Bonds for payment and cancellation. Interest on the Bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the preceding February 15 and August 15 (the Record Dates). The fees of the Bond Registrar for registration and transfer of the Bonds shall be paid by the City.

The Bonds will mature serially in accordance with the following schedule:

PRINCIPAL AMOUNT	MATURITY DATE
\$ 5,000.00	September 1, 1985
10,000.00	September 1, 1986
10,000.00	September 1, 1987
10,000.00	September 1, 1988
10,000.00	September 1, 1989
10,000.00	September 1, 1990
10,000.00	September 1, 1991
10,000.00	September 1, 1992
10,000.00	September 1, 1993
10,000.00	September 1, 1994

INTEREST RATE

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding five (5) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two percent (2%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being the "20 Bond Index" of tax exempt municipal bonds published by the *Weekly Bond Buyer* in New York, New York on the Monday next preceding the day on which the Bonds are sold (October 10, 1983), plus 2%, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of Bonds will not be considered.

BID FORM AND GOOD FAITH DEPOSIT

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at CITY HALL, LARNED, KANSAS 67550, ATTENTION: RICHARD PLUMMER, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF LARNED, KANSAS. In the event a

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bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

AWARD OF BIDS

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice; and the Bonds will be sold to the best bidder. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

DELIVERY OF THE BONDS

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City; and the Bonds will be sold subject to the unqualified approving opinion of GAAR & BELL, Bond Counsel, of Wichita, Kansas. THE NUMBER, DENOMINATION OF BONDS, AND NAMES OF THE INITIAL REGISTERED OWNERS TO BE INITIALLY PRINTED ON THE BONDS SHALL BE SUBMITTED IN WRITING BY THE SUCCESSFUL BIDDER TO THE BOND REGISTRAR NOT LATER THAN OCTOBER 27, 1983. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Payment for the Bonds shall be made in immediately available funds. Delivery of the Bonds will be made to the successful bidder on or before NOVEMBER 15, 1983, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

LEGAL OPINION

Bids shall be conditioned upon the unqualified approving opinion of GAAR & BELL, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each Bond and a manually signed original will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the Bonds and legal opinion will be paid by the City. Said legal opinion will state in part substantially that the Bonds will constitute general obligations of the City, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City; and that, under existing law, the interest on said Bonds is exempt from present Federal income taxation and the Bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

PURPOSE OF ISSUE

The Bonds are being issued for the purpose of constructing sewage treatment works in the City of Larned, Kansas.

CUSIP IDENTIFICATION NUMBERS

CUSIP identification numbers will be printed on said Bonds. All expenses in relation to printing of CUSIP numbers on said Bonds and the expenses of CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the City.

ASSESSED VALUATION

Assessed valuation figures for the City of Larned, Kansas, for the year 1982, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property	\$ 9,853,903
Tangible Valuation of Motor Vehicles	\$ 2,634,422
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ 134,572

Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$12,622,897
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BONDED INDEBTEDNESS

The total bonded indebtedness of the City of Larned, Kansas, at the date hereof, including this \$95,000.00 proposed issue of Bonds, is in the amount of \$1,723,860.00. The City will retire \$115,000.00 of outstanding Temporary Notes from the proceeds of the Bonds and other available funds.

OFFICIAL STATEMENT

Additional copies of this Notice of Bond Sale, or copies of the City's Official Statement relating to the Bonds, or further information may be received from First Securities Company of Kansas, Incorporated, Suite 200, One Main Place, Wichita, Kansas 67202 (316-267-2091), the City's financial consultants.

DATED SEPTEMBER 19, 1983.

CITY OF LARNED, KANSAS
By RICHARD PLUMMER, City Clerk

Doc. No. 001505

State of Kansas

SECRETARY OF STATE**NOTICE**

A new State Representative, Vernon L. Williams, has been appointed for the 91st district, filling the vacancy created by the recent resignation of Neal D. Whitaker.

Williams, a Republican, previously served as a State Representative and Speaker Pro Tem from 1953 to 1957. He is currently Vice President of Personnel and Industrial Relations for the Coleman Co. His home address is 2402 Coolidge; Wichita 67204. His business address is 1515 E. Central; Wichita 67214. His telephone numbers in Wichita are: home—316/838-3176, and business—316/261-3008.

JACK H. BRIER
Secretary of State

State of Kansas

SECRETARY OF STATE**KANSAS PUBLIC
DISCLOSURE COMMISSION****Advisory Opinion No. 83-23**

Written September 14, 1983 to Joe M. Bogle, Jr., Assistant City Attorney, City of Wichita, City Hall-Thirteenth Floor, 455 North Main Street, Wichita, Kansas 67202.

This opinion is in response to your letter of August 4, 1983, in which you request an opinion from the Kansas Public Disclosure Commission concerning K.S.A. 75-4301 *et seq.*

We understand you request this opinion in your capacity as the Assistant City Attorney for Wichita, Kansas.

You state the City of Wichita has established an appointive advisory board called the Convention and Tourism Committee (C&T) whose primary purpose is to review requests for Transient Guest Tax Funds from various groups and make recommendations for contracting with these groups to the Wichita City Commission. The Wichita Convention and Visitors Bureau (CVB) is a private nonprofit organization made up primarily of local businessmen whose interest is in promoting conventions and tourism in the City of Wichita.

You also state the City of Wichita has in the past, and is presently contracting with the CVB for them to provide services to promote convention and tourism activities in Wichita. The question of a conflict of interest originally was raised by a City staff member whose job was to provide administrative support to the C&T. She contacted your office and advised that certain members, officers and directors of CVB were also voting members of the C&T. She asked for your opinion as to a possible legal conflict of interest.

You provided an opinion dated January 19, 1981, in which you stated that it was your opinion that a legal conflict of interest would exist if CVB officers and

directors who were also C&T members participated in the making of a contract with the CVB. Additionally, you advised that under K.S.A. 75-4304 a conflict of interest would not exist if the C&T and CVB member abstained from "any action" in regard to CVB contracts considered by the C&T. It was your opinion that this would include not only abstaining from voting but also abstaining from any discussion of the CVB contract being considered.

We are advised the C&T recently requested you to reconsider your opinion above, wherein you advised that C&T members who are also CVB officers and directors would be required to not only abstain from voting on CVB contracts but also abstain from any discussion of same.

Based on this factual situation, you ask the following question:

Do Convention and Tourism Committee members, who are also Convention and Visitors Bureau officers or directors, have to abstain from discussion when the Convention and Tourism Committee is considering a Convention and Visitors Bureau contract and whether to recommend its acceptance to the City Commission?

We have reviewed your opinion dated January 19, 1981, on the above matter and it is a correct statement of the law. The members of the committee, as you have indicated, must totally abstain from any discussions with other members of the committee, the city, or its staff, concerning contracts with the Bureau.

Advisory Opinion No. 83-24

Written to Rosemary O'Leary, Attorney at Law, Department of Health and Environment, Forbes Field, Topeka, Kansas 66620.

This opinion is in response to your letter of July 22, 1983, concerning conflicts of interest.

We understand you request this opinion in your capacity as attorney for the Department of Health and Environment.

You indicate that the Secretary of Health and Environment has proposed new conflict of interest rules for that agency.

You ask whether the Secretary has authority to promulgate such rules of conduct for employees of the Department.

In response to your question, we can only state that the Secretary would not have authority to promulgate rules which are less stringent than the state conflicts statutes. The issue of whether more stringent rules may be required is outside of our jurisdiction.

Advisory Opinion No. 83-25

Written September 14, 1983 to Carol Anspaugh, Secretary, Satanta Recreation Commission, P.O. Box 506, Satanta, Kansas 67807.

This opinion is in response to your letter of July 26, 1983, in which you request an opinion from the Kansas Public Disclosure Commission.

We understand you request this opinion in your

(continued)

capacity as the Secretary for the Satanta Recreation Commission of Satanta, Kansas.

You advise us that a gentleman has recently been appointed to serve a four-year term on the Commission who has in the past officiated at summer baseball games sponsored by the Commission.

You ask whether he may continue to officiate at games and we assume be paid therefor during his service on the Commission.

As a general rule, the conflicts of interest provisions applicable to local governments contained in K.S.A. 75-4301 *et seq.* do not prohibit a local public official from accepting employment with his agency. Rather, the law requires that the public official abstain from any action in his public capacity in regard to the employment contract. Thus, it is our opinion, so long as the commissioner abstains from any action in his capacity as a member of the Commission that he may be employed by it to officiate baseball games.

Advisory Opinion No. 83-26

Written September 14, 1983 to Ronald R. Pasmore, M.A., CCC, SP., 1220 West 42nd Street South #2, Wichita, Kansas 67217.

This opinion is in response to your letter of July 7, 1983, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the Commission's jurisdiction in this matter is limited to the applicability of K.S.A. 46-215 *et seq.* and K.S.A. 75-4301 *et seq.*, the latter section not here applying.

You advise us that you are employed full time at Winfield State Hospital as a supervisor in the Speech-Language Pathology and Audiology service area.

You state you are also currently contracted to provide clinical services as a speech-language pathologist to Archenback Learning Center, on ICF/MR in Hardtner, Kansas. You have provided clinical services to this facility for the past six years, on a part-time basis, however, you are not an employee of this facility. Archenback Learning Center is not licensed, regulated or inspected by Winfield State Hospital and Training Center, although it is by SRS.

Based on this factual situation, you ask whether you may maintain your position with Archenback Learning Center during your tenure as a state employee with Winfield State Hospital.

S.B. 379, Sec. 10, is the only section within our jurisdiction which might apply to the factual situation you have described. That section states:

No state officer or employee may accept a position with an outside organization which is licensed by, inspected by or is regulated by the agency in which the state officer or employee is employed. This section shall not apply to appointed or elected members of a state board, council or commission, except that no member of such board, council or commission shall participate in any license, inspection or contract on behalf of their state board, council or commission with any outside organization with which such member is associated.

The issue raised in your question is the definition of the term "agency" as used in the above section. It is our opinion that "agency" means an entity in state government having a separate identification number assigned to it by the Department of Administration. As we understand the situation, Winfield State has an independent number from SRS and Winfield State does not regulate, license or inspect Archenback Learning Center. It is, therefore, our opinion that you may continue your position with Archenback Learning Center during your tenure at Winfield State.

Advisory Opinion No. 83-27

Written September 14, 1983 to Robert Porubsky, 2354 Ashworth Place, Topeka, Kansas 66614.

This opinion is in response to your letter of July 5, 1983, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the Commission's jurisdiction on this matter is limited to the application of K.S.A. 46-215 *et seq.* Thus, whether some other common law, statutory system or agency policy applies to your question is not covered by this opinion.

We understand you request this opinion as an employee of the Kansas Department of Revenue as a computer programmer (Programmer IV). You are the lead programmer of your group. As a group, you are responsible for Drivers License and Motor Carrier violation applications. You are also responsible for maintaining program load libraries and other programming libraries for the Department of Revenue as a whole. In your position, you do from time to time have contact with companies like the one that will be discussed below, but your only contact with these companies is to do their initial testing to insure that they are sending the requests for information to you in the proper formats and to provide information necessary for successful acquisition of the driving records from the department computer files.

You advise us that you have been approached by an individual who is going to start a service company in the near future. This individual has asked you to do some contract computer programming for this company. This service company will obtain specific driving records for client insurance companies and return that information to the client companies. If you accept his offer, your responsibilities will be to provide the necessary computer programs to generate requests to the State of Kansas Department of Revenue for this information, process the returned information and forward the necessary information to the requesting clients. You may also be required to generate data entry programs and report programs as necessary. It is the company responsibility to run the business, contact all clients, make all purchases, contracts and provide the necessary computer equipment. This service that the company will provide is currently being provided by similar companies and may be provided directly to requesting insurance companies by the State of Kansas. Any service you would provide to this company would be separate from your current position and would be on a part time basis.

(continued)

You advise us that you have no authority whatever in regard to contracting in your capacity as a state employee with the service company. We also understand the information you will be providing does not include confidential state information. It is further our understanding that the Department of Revenue is not involved in licensing, regulating or inspecting the service company.

Upon the above understandings and the factual situation provided to us, and so long as the fee you charge for your service is commercially reasonable, it is our opinion that you may accept the employment you describe. This position should, however, be disclosed on your next substantial interest disclosure statement if you are required to file one.

Advisory Opinion No. 83-28

Written September 14, 1983 to Jim Edwards, Staff Director, PACK, P.O. Box 1552, Topeka, Kansas 66601.

This opinion is in response to your letter of May 26, 1983, in which you request an opinion from the Kansas Public Disclosure Commission concerning the Campaign Finance Act.

We understand you request this opinion in your capacity as Staff Director for the Political Action Council of Kansas. You state that political action committee funds are typically used for campaign contributions to candidates running for office. By law, regulated industries and financial institutions can't make campaign contributions to influence elections, therefore contributing to a political action campaign contribution fund is unlawful.

Your question involves establishing a political action committee education fund which would be kept separate from the political fund used for contributions which could be used for the following programs:

1. Providing political action education programs which would be nonpartisan in nature.
2. Take surveys to help establish state and regional business needs.
3. Help educate and train campaign staff(s) in correct campaign practices.
4. Encourage candidates to run for office.
5. Print PAC materials which are nonpartisan in nature.
6. Pay postage costs for mailings which do not involve partisan materials.
7. Reimbursement of expenses to carry out the above programs.

We understand you to ask the following questions:

1. Would the segregated fund constitute a political committee under the Campaign Finance Act that would be required to register and report?
2. Could donation to such fund be made by regulated industries which are otherwise prohibited from making political contributions?

On the first question, we note as a general rule that an activity by the fund does not constitute a contribution or expenditure under the Campaign Finance Act which would trigger registration unless it is done to

influence the nomination or election of an individual to state office. Thus, these education programs, surveys and distribution of PAC materials which are issue oriented and do not name a specific candidate or party would not ordinarily constitute contributions or expenditures under the Act. We do believe, however, that the training of campaign staffs, if by that you mean the staffs of a political party or specific candidate, would constitute an in-kind contribution to the recipient and that conduct would require registration as a political committee. Encouraging candidates to run is a borderline question. If a survey were conducted using the actual names of some prospects and that information were used to encourage the candidate, the expenses associated with the survey could constitute an in-kind contribution. However, if you are considering merely talking with prospects, that would not be covered by the Campaign Finance Act.

As you can see, our answer to your question is contingent upon the precise nature of the undertakings you contemplate. Thus, our guidelines have been general in nature. If you have any further question on the first issue, please contact our staff for guidance.

The second question is covered by K.S.A. 25-1709 which is outside our jurisdiction. We would suggest you contact private counsel or perhaps the Attorney General for an interpretation of this statute.

Advisory Opinion No. 83-29

Written September 14, 1983 to Ronald E. Miles, Director, Board of Indigents' Defense Services, 535 Kansas, Suite 1202, Topeka, Kansas 66603.

This opinion is in response to your letter of July 26, 1983, in which you request an opinion from the Kansas Public Disclosure Commission concerning K.S.A. 46-215 *et seq.*

We understand you request this opinion in your capacity as Director of the Board of Indigents' Defense Services. We understand the members of the board are appointed by the Governor subject to confirmation by the Senate. The board's primary duty is to manage funds necessary to pay counsel for indigent defendants.

You ask whether members of the board may also serve as appointed counsel to indigent defendants and receive reimbursement through the board for such services.

We note at the outset that it is our opinion under K.S.A. 46-221 that members of the board are state officers or employees since they receive compensation and do not fall within the judiciary exception since K.S.A. 22-4519 specifically places the board in the executive branch.

Nonetheless, K.S.A. 46-215 *et seq.* does not prohibit the situation you have described. Rather, K.S.A. 46-233 would require the board member to abstain from action on any of his own claims or any other matter in which he held a substantial interest under K.S.A. 46-229, but the board member may otherwise fully participate in the functioning of the board.

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Advisory Opinion No. 83-30

Written September 14, 1983 to Faith M. Spencer, Manager, Topeka Area SRS, Box 1424, Topeka, Kansas 66601.

This opinion is in response to your letter of July 12, 1983, in which you request an opinion from the Kansas Public Disclosure Commission concerning K.S.A. 46-215 *et seq.*

We note at the outset that the Commission's jurisdiction in the matter is limited to the applicability of K.S.A. 46-215 *et seq.* Thus, whether some other statutory system, common law, or agency rule and regulation applies to your question is not covered by this opinion.

We understand you request this opinion in your capacity as the Area Manager for the Topeka area office of the Department of Social and Rehabilitation Services. You advise us that the position of Area Manager for the Department of Social and Rehabilitation Services has authority for management of departmental programs and personnel in designated geographic regions. The Topeka Area is responsible for providing SRS services to residents of Shawnee and Douglas counties. Implementation of program policies and regulations are carried out by personnel in the area office with direction and guidance from the appropriate Central Office program authority.

You also advise us that by City of Topeka and Shawnee County ordinances, the Area Manager is automatically a member of the Advisory Board of Health for the City/County Health Department. The City/County Health Department has many connections with state agencies. In particular, SRS Medical Programs approves the Health Department as a provider under Title XIX. SRS Medical Programs is a statewide program division within SRS under the management of the Commissioner of Income Maintenance and Medical Programs. The program enrolls providers, contracts for payment of Title XIX claims, and interprets and implements medical program regulations and policies. The Advisory Board does act in policy-making matters. It votes on issues that may pertain to budget, salaries, etc.

Based on this factual situation, we understand you to ask whether you may continue your service on the Advisory Board during your tenure as Area Director. S.B. No. 379, Section 10, states:

No state officer or employee may accept a position with an outside organization which is licensed by, inspected by or is regulated by the agency in which the state officer or employee is employed. This section shall not apply to appointed or elected members of a state board, council or commission, except that no member of such board, council or commission shall participate in any license, inspection or contract on behalf of their state board, council or commission with any outside organization with which such member is associated.

As we understand the factual situation, SRS is involved in the licensing, inspection or regulation of the City/County Health Department. Under such circum-

stances at least where, as here, you are in a position of discretion within SRS and the Advisory Board of which you are a member is a policy-making body, it is our opinion that you should not continue your service on the Advisory Board during your tenure as Area Director with SRS.

Advisory Opinion No. 83-31

Written September 14, 1983 to Faith M. Spencer, Manager, Topeka Area SRS, Box 1424, Topeka, Kansas 66601.

This opinion is in response to your letter of July 27, 1983, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.* and K.S.A. 75-4301 *et seq.* Thus, whether some other common law, statutory system or agency rule and regulation applies to your question is not covered by this opinion.

We understand you request this opinion in your capacity as an Area Manager for the State Department of Social and Rehabilitation Services. You indicate that you are also a member of the United Way Planning Committee, the Council of Funding Agencies and a Citizen's Review Panelist for the allocation process.

As we understand the factual situation, SRS does not license, regulate or inspect any of the entities you have mentioned, although SRS may be so involved with the recipient of funding from those agencies.

Based on this factual situation, we understand you to ask whether you may serve as a member of United Way, the Council of Funding Agencies, and as a Citizen's Review Panelist during your tenure as a state employee.

We have reviewed all the statutes within our jurisdiction and find nothing which would prohibit you from the positions you have mentioned during your service as a state employee.

Advisory Opinion No. 83-32

Written September 14, 1983 to Jonathan P. Small, NICHOLS AND WOLFE, CHARTERED, Suite 1120, First National Bank Tower, 534 Kansas Avenue, Topeka, Kansas 66603.

This opinion is in response to your letter of August 26, 1983, in which you request an opinion from the Kansas Public Disclosure Commission concerning Chapter 172, Laws of 1983.

We understand you request this opinion in your capacity as General Counsel for the Kansas Fish and Game Commission. You advise us the Commission annually licenses and regulates well over 300,000 individuals in Kansas for fishing, trapping and hunting purposes. These licenses are issued under K.S.A. 32-104 *et seq.* and K.A.R. 23-18-1. The criteria for qualifying for a license is established by statute and the Commission is without discretion to determine who is or is not entitled to a license once the statutory criteria

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is satisfied. The fees collected from the issuance of these licenses finances the Commission's operations.

You also note that the Commission annually pursues two collateral sources of revenue to assist in financing various wildlife programs which it undertakes as part of its statutorily defined duties. The most significant of these is what is referred to as the "Wildtrust" program which evolved from the general powers conveyed to the Commission.

You advise us almost since its inception, the Commission has been empowered to: "... on behalf of the people of the state accept gifts and grants of land and other property." K.S.A. 74-3302.

The Commission over the course of many decades accepted many gifts of both real and personal property, as well as, donated services. It is an activity which is aggressively pursued. In fact, various members of the Kansas Legislature have continued over the years to encourage the agency to generate revenue from this source. Thus, Wildtrust was developed to give a specific name to the agency's program designed to provide a means for individuals to help preserve wildlife and other natural resources through contributions of land, personal property, or services. It is a program which has produced well for the Commission; since 1980 over \$2,000,000 has been received under the Wildtrust program. It has naturally become a significant funding source upon which the agency relies for various operations.

We understand the second program is relatively new. In 1980, the legislature authorized the "Kansas nongame wildlife improvement program." K.S.A. 1982 Supp. 79-3221d and 3221e. This basically allows individuals to donate to the fund by indicating on their Kansas tax returns their donation which is then deducted from their refund. This fund produced \$133,000 last year and is expected to continue to produce at least this much annually in future years.

You also state many of the donors under both programs are licensees and their individual contributions frequently exceed the \$100 maximum specified in the new language.

The gifts received under Wildtrust are disposed differently depending upon type; i.e., cash is placed in the state treasury to the credit of a specified account; title to land is taken in the name of the state and the Commission; whereas, services are accepted for specific projects. Under the tax return check-off program, all moneys are deposited directly into the state treasury to the credit of the nongame wildlife improvement fund. In both cases the moneys or land received are expended or used by the agency for statutorily authorized or prescribed purposes.

Based on this factual situation, you ask whether any of the programs you have described are in violation of Chapter 172, Laws of 1983, subsection (c).

That subsection states:

"(c) No person licensed, inspected or regulated by a state agency shall offer, pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$100 or more in any calendar year to that agency."

We understand that the historical foundation for this section revolves around the situation where persons with special interests have, for example, given gifts of furniture, works of art, or other items of value to state officers and employees in an agency which regulates the donor and disguised the gift by saying that it was given to the state rather than the individual officer or employee even though the officer or employee received the personal use, benefit, comfort or convenience of the gift.

With this background in mind, it is our opinion, as a general rule under the above subsection, that a gift is made "to that agency" when it inures to the personal use, benefit, comfort or convenience of the officers or employees of the agency. The situations you have described are gifts to the state as a whole and do not fall within the purview of the above subsection.

Advisory Opinion No. 83-33

Written September 14, 1983 to Ms. Peggy Coriell, 1037 South Shore Drive, Parkville, Missouri 64151.

This opinion is in response to your letter of August 16, 1983, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.* and K.S.A. 75-4301 *et seq.* Thus, whether some other common law, statutory system or administrative rules and regulations apply to your question is not covered by this opinion.

We understand you request this opinion in your capacity as a Social Worker IV in the Kansas City Area Office of Social and Rehabilitation Services. Your major program responsibilities are in the area of child abuse and neglect and juvenile offenders. This fall you have been hired as an adjunct instructor by the Kansas City, Kansas Community College to teach an evening class, "Introduction to Social Work." This class is after your regular working hours for SRS.

You state one of your responsibilities as a Social Worker IV is to be a part of a staffing team, made up of the Chief of Social Services and three other Social Worker IV's. This team reviews all funding proposals for grants and special projects to make sure they meet the specifications and answer a defined need in the community. You ultimately make recommendations as to whether a proposal should be funded and forward this recommendation to the appropriate specialists in the Central Office of Social and Rehabilitation Services where the funding decision is made.

Kansas City, Kansas, Community College is presently receiving an Alcohol Awareness Grant, HADP-83-365-06, from the Division of Alcohol and Drug Abuse Services of Social and Rehabilitation Services. This grant is targeted at the campus population and provides basic information on drugs and alcohol. The amount received from SRS is \$24,514, or 51% of the project. The current grant runs to October, 1983.

We have reviewed all of the laws within our juris-

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diction and note that in your position as a state employee you must, under K.S.A. 46-233, abstain from participating in the making of recommendations concerning contracts or grants involving the college during your tenure as an instructor there. Otherwise, based on the factual situation presented to us, we find no other prohibitions applicable to the situation you have described.

Advisory Opinion No. 83-34

Written September 14, 1983 to Brian J. Moline, General Counsel, State Corporation Commission, State Office Bldg.—4th Floor, Topeka, Kansas 66612-1571.

This opinion is in response to your letter of June 7, 1983, in which you request an opinion from the Kansas Public Disclosure Commission concerning S.B. 379.

We understand you request this opinion in your capacity as General Counsel for the State Corporation Commission. You advise us that on occasion members of the Commission and its staff are invited to receptions and dinners sponsored by companies regulated by the Commission.

You ask whether the prohibitions contained in subsections (b) and (c) of S.B. 379 apply to utilities under your jurisdiction in their lobbying and advocacy activities, and if so, whether the \$100 limit applies to the provision of food and drink in a hospitality setting. S.B. 379 states in pertinent part:

(b) No person with a special interest shall offer, pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service having an aggregate value of \$100 or more in any calendar year to any state officer or employee or candidate for state office with a major purpose of influencing such officer or employee in the performance of official duties or prospective official duties.

(c) No person licensed, inspected or regulated by a state agency shall offer, pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$100 or more in any calendar year to that agency.

(d) Hospitality in the form of food and beverages are presumed not to be given to influence a state officer or employee in the performance of such officer's or employee's official duties or prospective official duties, except when a particular course of official action is to be followed as a condition thereon.

In response to the first issue raised, it is our opinion that jurisdictional utilities of the Corporation Commission do have "special interests" and are "licensed, regulated and inspected" such that the above sections do apply to their lobbying and advocacy activities with your Commission.

Under subsection (b) the limitation of gifts would therefore apply with the exception of hospitality provided in the form of food and beverage as set forth in subsection (d).

Under subsection (c) it is our opinion that food and beverage consumed in a hospitality setting is not

"hospitality" provided to "that agency," rather it is hospitality provided to the individual recipients.

In sum, it is our opinion, as a general rule, that the above sections do not prohibit the Commissioners and staff from attending the receptions and dinners that you have described even if the cost per dinner for all attending exceeds \$100.

Advisory Opinion No. 83-35

Written September 14, 1983 to Ms. Nancy Strain, LMSW, Olathe Area SRS, One Patrons Plaza, Olathe, Kansas 66061.

This opinion is in response to your letter of July 29, 1983, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset the Commission's jurisdiction is limited to K.S.A. 46-215 *et seq.* and K.S.A. 75-4301 *et seq.* Thus, whether some other common-law, statutory system or agency rule and regulation applies to your question is not covered by this opinion.

We understand you request this opinion in your capacity as an employee in the Olathe SRS Office as a supervisor for a unit composed of four and one-half adult positions and two and one-half adoption positions. Your adoption program focuses on families interested in special needs of Kansas state wards. Because of the need for services to Kansas children and because of your limited time and workers, you do not do new studies for other agencies. You also do not do studies for healthy white infants or preschoolers. When you do refer families to other adoption agencies, you send a Metropolitan Adoption Council brochure which includes all agencies in the greater Kansas City area. You never make specific referrals to only one private agency.

You indicate you are interested in outside employment with a private child placing agency whose services are to families seeking to adopt healthy white infants. This would involve completing individual family assessments and possibly supervision of placements. This would be part-time contract work conducted on your own time. This is a new agency and has no involvement or purchase agreement with SRS.

Based on this factual situation, we understand you to ask whether you may accept a position with the adoption agency during your service as a state employee.

We have reviewed all the laws within our jurisdiction and it is our opinion so long as the new agency has no contracts or grants with SRS and is not licensed, regulated or inspected by SRS and you do not use confidential information received as a state employee in your part-time pursuit and neither you nor persons in your state agency make direct referrals to the adoption agency, that you may accept employment with the agency during your service as a state employee.

Advisory Opinion No. 83-36

Written September 14, 1983 to Charles V. Hamm, General Counsel, Legal Division, State Department of Social and Rehabilitation Services, State Office Building, Topeka, Kansas 66612.

(continued)

This opinion is in response to your letter of August 29, 1983, in which you request an opinion from the Kansas Public Disclosure Commission.

We understand you request this opinion in your capacity as General Counsel for the State Department of Social and Rehabilitation Services.

You advise us of a situation where an individual has been a salaried co-director of a Salina private day care center since 1973. The same individual went to work for SRS on January 10, 1982, as a cottage parent at the Kansas Vocational Rehabilitation Center and remains in that employment.

We understand the question to be whether the cottage parent who is a state employee in that position may retain her position with the private day care center.

S.B. 379, section 10, subsection (c), states:

No state officer or employee may accept a position with an outside organization which is licensed by, inspected by or is regulated by the agency in which the state officer or employee is employed. This section shall not apply to appointed or elected members of a state board, council or commission, except that no member of such board, council or commission shall participate in any license, inspection or contract on behalf of their state board, council or commission with any outside organization with which such member is associated.

The above section became law on July 1, 1983, and by use of the word "accept" cannot be construed to apply retroactively. Thus, the simple answer to your question is that this section does not preclude the state employee from retaining the already existing position with the private day care center. However, if that position were to be altered, then a new acceptance would be required and the above provision might preclude further involvement with the day care center. This would be true if SRS regulates, licenses, or inspects the day care center which our research indicates is the case.

We have otherwise reviewed the laws within our jurisdiction and find no others which preclude the dual positions described in this opinion.

RICHARD E. DIETZ, Chairman
By direction of the Commission

Filed with the Secretary of State September 16, 1983.

Doc. No. 001507

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 4

OPEN MEETING NOTICE

The October board meeting of the Northwest Kansas Groundwater Management District No. 4 is scheduled for October 6, 1983 at the district office, 1175 South Range, Colby, Kansas. The meeting begins at 10:00 a.m. General administrative matters and other business will be discussed.

WAYNE A. BOSSERT
Manager

Doc. No. 001515

State of Kansas

DEPARTMENT OF REVENUE

REQUEST FOR BIDS FOR OIL AND GAS LEASE

BY ORDER OF THE DIRECTOR OF TAXATION
OF THE STATE DEPARTMENT OF REVENUE,
FOR THE STATE OF KANSAS,

The Director of Taxation will receive bids for the leasing of Oil and Gas rights in and to the portion of the Arkansas Riverbed, the property of the State of Kansas, described as follows:

That portion of the Arkansas River as it meanders thru Section 1 & 12, Twp 30 S., Rg 1 E., and Sec 7, Twp 30 S., Rg 2 E., Sumner County, Kansas containing 380.18 acres, more or less.

The bidding shall be considered upon the amount of bonus annual rental, and the amount of royalty to be paid.

Bids shall be submitted upon forms obtained from the Director of Taxation, Third Floor, State Office Building, Sand and Oil Lease Section, Topeka, Kansas 66612.

Lease shall be made on Form 88—(Producers) Kansas, Oklahoma, Colorado, 1956 Rev. W. for a term of five years. The successful bidder pays publication costs.

Bids shall be opened at the office of the Director of Taxation at the hour of 2:00 p.m. on the 7th day of November, 1983.

The Director of Taxation reserves the right to reject any and all bids and to readvertise.

CAROL B. BONEBRAKE
Director of Taxation
Department of Revenue

Doc. No. 001514

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